

AMENDED IN ASSEMBLY APRIL 14, 1997  
AMENDED IN ASSEMBLY MARCH 19, 1997  
AMENDED IN ASSEMBLY MARCH 11, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 62**

**Introduced by Assembly Members McClintock and  
Hertzberg**

December 3, 1996

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An act to amend Section 57079 of, *and to add Section 57079.1 to*, the Government Code, relating to local government organization.

LEGISLATIVE COUNSEL'S DIGEST

AB 62, as amended, McClintock. Local government organization.

Under the Cortese-Knox Local Government Reorganization Act of 1985, if the proposed change of organization is a city detachment, the conducting authority, not more than 30 days after its hearing on the matter, may by resolution terminate detachment proceedings. If a proposed reorganization includes the detachment of territory from any city, the conducting authority, not more than 30 days after the hearing, is required to terminate the proceeding if a resolution or written protest against the reorganization is filed prior to the conclusion of the hearing by any city from which territory would be detached or removed.

The bill would ~~delete the existing provisions relating to termination of a proposed reorganization that includes the detachment of territory from a city upon the written protest of the city, and limit the above provisions to cities with a population of less than two million. With respect to cities with a population of two million or more, the bill would instead require that, in order to be effective, the proposed reorganization to be presented to the electors of the city at the next primary or general election held in an even-numbered year. The bill would require the proposed reorganization to~~ *shall* be approved by a majority of the electors of the city voting on the issue, and by a majority of the electors of the territory proposed to be detached voting on the issue.

~~This bill would make the elector approval provisions applicable only to a city with a population of over 2,000,000 persons.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 57079 of the Government Code  
2 is amended to read:  
3 57079. (a) ~~Notwithstanding Sections 57075 and~~  
4 ~~57078, if the proposed change of organization is a city~~  
5 ~~detachment, the conducting authority, not more than 30~~  
6 ~~days after the conclusion of the hearing, may by~~  
7 ~~resolution terminate the detachment proceedings.~~  
8 (b) ~~If a proposed reorganization includes the~~  
9 ~~detachment of territory from any city, the proposed~~  
10 ~~reorganization shall be presented to the electors of the~~  
11 ~~city at the next succeeding statewide primary or general~~  
12 ~~election held in an even-numbered year, provided that~~  
13 ~~there is sufficient time to place the issue in the ballot. The~~  
14 ~~proposed reorganization shall be approved by a majority~~  
15 ~~of the electors of the city who vote on the issue, and by a~~  
16 ~~majority of the electors of the territory proposed to be~~  
17 ~~detached who vote on the issue. This subdivision only~~  
18 ~~applies to a city with a population of over 2,000,000~~  
19 ~~persons.~~

1 57079. (a) *This section shall only apply to cities with*  
2 *a population of less than two million.*

3 (b) Notwithstanding Sections 57075 and 57078, if the  
4 proposed change of organization is a city detachment, the  
5 conducting authority, not more than 30 days after the  
6 conclusion of the hearing, may by resolution terminate  
7 the detachment proceedings.

8 ~~(b)~~

9 (c) Notwithstanding Sections 57075, 57077, and 57078,  
10 if a proposed reorganization includes the detachment of  
11 territory from any city, the conducting authority, not  
12 more than 30 days after conclusion of the hearing, shall  
13 terminate the proceeding if a resolution or written  
14 protest against the reorganization is filed prior to the  
15 conclusion of the hearing by any city from which any  
16 portion of the territory of the city would be detached or  
17 removed pursuant to the reorganization.

18 SEC. 2. *Section 57079.1 is added to the Government*  
19 *Code, to read:*

20 57079.1. (a) *This section shall only apply to cities with*  
21 *a population of two million or more.*

22 (b) Notwithstanding Sections 57075, 57077, and 57078,  
23 if the proposed change of organization is a city  
24 detachment, the proposed reorganization, in order to be  
25 effective, shall be approved by a majority of the electors  
26 of the city who vote on the issue, and by a majority of the  
27 electors of the territory to be detached who vote on the  
28 issue.